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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

Dated this the 30th day of June, 1998

Before:

THE HON'BLE MR. JUSTICE R.V. RAVEENDRAN

Writ Petition No. 26279 of 1994

Kumari. Vijaya,  
d/o Devayya Naik,  
Student, r/o Prakash Kunj,  
Village Hirgone,  
Taluk Karkala,  
Dakshina Kannada District

327  
..Petitioner

(By Smt. A.R.Kulkarni, Advocate)

-Vs-

1. Caste & Income  
Verification Committee,  
by its Chairman,  
D.C.Compound,  
Mangalore;
2. Member Secretary,  
Caste & Income Verification  
Committee, D.C.Compound,  
Mangalore;
3. The Administrative Officer,  
M.V. Shetty Memorial  
Hospital College of Nursing,  
A.B. Shetty,  
Mangalore

..Respondents

(By Sri A. Nagarajappa, AGA)

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Writ Petition is filed praying to call for the  
records from the respondent-1 reg. Annexure-E.

This writ petition coming onfor preliminary  
hearing in 'B' Group this day, the Court made the  
following:-

O R D E R

The petitioner claims that she took common entrance test in the year 1993 for admission to BSc Nursing course. She claims that she was selected to the course and allotted a seat in the third respondent institution, subject to production of caste certificate. The petitioner claims to have applied for the caste validity and income certificate. According to petitioner, the first respondent without holding any enquiry and without giving an opportunity to her, passed an order dated 29-11-1993 [Annexure 'E'] certifying that petitioner is entitled to the benefit of reservation under group 'E'. The petitioner is aggrieved. According to petitioner, she belongs to group 'B'. It is seen that the petitioner claims that she belong to Rajapuri caste and the first respondent has held that she belongs to Rajapuri (Saraswath) caste. Feeling aggrieved, the petitioner has filed this petition and sought quashing of Annexure 'E' and a direction to the third respondent to admit her to BSc Nursing Course.

RMR

2. Though the petitioner sought interim direction to the third respondent to admit her to the BSc Nursing course, the interim prayer was not granted. Therefore the prayer relating to admission to the third respondent in regard to the academic year 1993-94 has now become infructuous.

3. Learned counsel for the petitioner states that as far as the validity of the caste certificate is concerned, liberty may be reserved to the petitioner to reagitate the matter in appropriate proceedings, if she wants the caste certificate in future. Hence, reserving such a liberty, this petition is disposed of.

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Sd/-  
JUDGE

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